



THE REGIONAL PLANNING COMMISSION

County of Los Angeles

MINUTES

Meeting Place: Room 150 Hall of Records
320 W. Temple Street
Los Angeles, California 90012
Meeting Date: August 31, 2016 - Wednesday

Time: 9:30 a.m.

Present:

Commissioners Shell, Smith, Louie, Pedersen, Modugno

Ex Officio Members:

Director of Public Works: Ms. Michelle Chimienti, Senior Civil Engineer

County Counsel: Mr. Joe Nicchitta, Deputy

Planning Director: Mr. Mitch Glaser, Assistant Administrator, Current Planning Division

Forester and Fire Warden: Ms. Janna Masi, Supervising Fire Prevention Engineer

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance was led by Commissioner Pedersen representing the Fourth Supervisorial District.

APPROVAL OF AGENDA

2. Motion/second by Commissioners Modugno/Louie – That the agenda for August 31, 2016 be approved.

At the direction of the Chair, the agenda was approved unanimously

COUNTY COUNSEL REPORT

3. There were no reports given by County Counsel.

DIRECTOR/DEPUTY DIRECTOR

4. Mr. Glaser reported that the Board of Supervisors approved on Tuesday, August 23, 2016 the following two items: 1) Project No. RPPL2016000614-(4), amending County Code, Title 22 – Planning and Zoning, in the unincorporated community of Rowland Heights, to add and establish regulations prohibiting living suites (a portion of a residence that provides flexible living arrangements for the household) to the remainder of the

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DIRECTOR/DEPUTY DIRECTOR (Cont.)

residence; and 2) Project No. R2014-02389-(4), Conditional Use Permit No. 201400111-(4), to authorize the construction and maintenance of a 50-foot high unmanned monoecalyptus wireless telecommunications facility.

Mr. Glaser provided each Commissioner with a Safe Access to Alcohol and Food Establishments (SAAFE) brochure and bag and announced that each community member that attends will also receive a bag and encourages them to attend to voice their concerns how alcohol sales have impacted their neighborhoods, and how they can be improved, and have access to healthy food at the same time.

MINUTES FOR APPROVAL

5. Motion/second by Commissioners Pedersen/Modugno – That the minutes for July 28, 2016 be approved.

At the direction of the Chair, the minutes were approved with Commissioner Pedersen, Modugno, Smith and Louie in favor and Commissioner Shell being recorded as abstaining.

Motion/second by Commissioners Pedersen/Modugno – That the minutes for August 3, 2016 be approved.

At the direction of the Chair, the minutes were approved with Commissioners Pedersen, Modugno and Louie in favor and Commissioners Shell and Smith being recorded as abstaining.

PUBLIC HEARINGS

Land Divisions

Project Approved

5. (Continued from 08/03/16). Project No. TR060358-(4). Applicant: Abell Helou Homes. 1236-1244 Galemont Avenue. Hacienda Heights Zoned District. a. Tentative Tract Map No. 060358. To create 24 single-family residential lots and three (3) private driveway/fire lane lots on 2.5 gross acres in the R-1 (Single Family Residence) Zone. b. Housing Permit No. 201300009. An administrative housing permit to set aside four (4) single-family lots for lower-income households in order to receive a density bonus of six (6) additional dwelling units (33 percent increase). The applicant also requests two (2) development incentives: reduced lot areas and reduced lot widths. c. Environmental Assessment No. 200500125. To consider a

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PUBLIC HEARINGS (Cont.)

Land Divisions

Negative Declaration, as the project will not result in a significant impact to the environment pursuant to CEQA reporting requirements.

Mr. Montgomery presented the staff report and stated that the proposed project will assist in satisfying housing needs, and is viable in terms of continued availability to meet housing needs. The incentives requested are necessary to provide for affordable housing as the project site's total area would not be enough to accommodate 24 lots of standard dimensions lots being the result of the non-discretionary density bonus. A covenant would be filed with the County restricting sale of the four proposed residential units to lower-income households.

Testimony was followed from Mr. Abell Helou, the applicant's representative in support of the project. He stated that the new homes would be well designed, would increase property values, would be oriented toward the street, and would provide lower-income housing at the developer's expense.

Further testimony was followed by three area residents in opposition of the project. They stated that the existing street is already congested due to traffic from existing homes and a church, and that adding 24 new homes would greatly increase the problem. In addition, that the proposed lower-income units would lower nearby property values.

Mr. Helou stated that the Department of Public Works had reviewed the project and concluded that a traffic impact analysis was unnecessary and that the project has ample parking and will not affect the public street parking.

Motion/second by Commissioners Pedersen/Modugno – That the Regional Planning Commission close the public hearing and adopt the Negative Declaration associated with Environmental Assessment No. 200500125, pursuant to State and local CEQA guidelines.

Motion/second by Commissioners Pedersen/Modugno – That the Regional Planning Commission approve Tentative Tract Map No. 060358 and Housing Permit No. 201300009, with finding and conditions of approval.

At the direction of the Chair, the item passed unanimously. The appeal period for this item ends on Monday, September 12, 2016.

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PUBLIC HEARINGS (Cont.)

Special Projects

Project Approved

7. **(Continued from 08/03/16). Project No. R2015-02901-(5). Conditional Use Permit No. 201500130. Applicant: Fountainhead Development. Southwest corner of Copperhill and Rio Norte Drive. Newhall Zoned District. To authorize the construction and operation of a 120-bed senior (55+) residential care facility and commercial retail center with four buildings that consist of two drive-thru restaurants, retail and a gas station with a convenience store within the Neighborhood Business-Development Program (C-2-DP) Zone, and to ensure compliance with the Development Program that was previously approved as part of the West Creek project (98-008). This project includes an addendum to the Certified Environmental Impact Report (SCH No. 98021052).**

Ms. Aranda presented the staff report and read into the record revised draft conditions: 1) Condition No. 10 – to eliminate the date by which the permittee would have to post and file the Notice Determination with the County Registrar-Recorder/County Clerk (Recorder) to avoid confusion with the end of the appeal period date; 2) Condition No. 22 – adds language to clarify the State licensing responsibilities of the residential care facility operator; 3) Condition No. 25 – eliminated to reflect that the Project is not currently proposing the sale of alcohol; 4) Condition No. 28 – revised to clarify the required parking for the residential care facility as one parking space for each staff member on the largest shift, one parking space for each vehicle used directly for the facility. The remainder parking shall be used for guest parking and to store the residents personal vehicles; 5) Condition No. 25 – revised to add language to ensure that any changes to the Exhibit “A” would require approval by the Director of Planning; (6) Condition No. 28 – modified to include the date of the updated clearance letter by the Department of Public Works; and 7) Condition No. 29 would have to comply with all City staff, departments and regulations.

Testimony was followed Margaret Taylor, the applicant’s representative in favor of the project and concurring with the modified conditions by staff. Ms. Taylor described the renderings from street level, and addressed concerns from the public regarding the gas station, and an increase in traffic. She also requested further modifications to Condition Nos. 19 and 21.

The project’s traffic engineer, Chris Pylant, discussed that the residential care facility would reduce the traffic count as compared to the original approval for the large scale retail development. He also stated that a traffic count was conducted at the intersections of Rio Norte Drive and Vista Del Rio Drive that resulted in an acceptable Level of Service. A representative of Oakmont Senior Living Facility, Wayne, Sant, presented the

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PUBLIC HEARINGS (Cont.)

Special Projects

building/floor plan and operations of Oakmont Senior Living Facility in Santa Clarita. There being no members of the public in opposition, no rebuttal was required.

Commissioner Shell inquired on whether the applicant had met with the School District to discuss the project. The applicant stated that they did not meet with the School District but was in favor of the senior residential care facility but did not want to comment on the rest of the project.

Commissioner Modugno stated how the proposed modification of the originally approved "big box" retail use to a residential care facility improves the area.

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission close the public hearing and having considered the Addendum along with the Final EIR (SCH 98021052) for the project, hereby approve addendum to the Certified Final EIR.

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission approve Conditional Use Permit No. 201500130 with findings and conditions including updated conditions of approval and modifications to: 1) Condition No. 19 – The senior assisted living facility shall be for the elderly per State law; 2) Condition No. 21 Prior to the issuance of a final certificate of occupancy for the residential care facility, the permittee shall obtain all necessary operational licenses from the State of California and provide a copy of such licenses to the Director of Regional Planning.

At the direction of the Chair, the item passed unanimously. The appeal period for this item ends on Wednesday, September 14 2016.

Land Divisions

Action Taken as Noted

8. **Project No. R2015-03107-(3). Applicant: Vladimir and Luba Tomalevski. 18225 Coastline Drive. The Malibu Zoned District. a. Vesting Tentative Parcel Map No. 073804. To develop three residential condominium units on 0.23 gross (0.19 net) acres within the R-3 (Limited Multiple Residence) Zone. b. Minor Coastal Development Permit No. 201500112. To authorize a land division, three residential condominium units, within the Santa Monica Mountains Coastal Zone. c. Environmental Assessment No. 201500224. To consider a Negative Declaration as it has been determined that the project will not have a significant effect on the environment pursuant to CEQA reporting requirements.**

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PUBLIC HEARINGS (Cont.)

Land Divisions

Mr. Rojas presented the staff report followed by testimony from the applicant Luba Tomalevsk in favor the project. Testimony was followed from six members of the public voicing their concerns on: 1) ocean view interference; 2) exceeds height limit above the adjacent building on each side; 3) parking; 4) adjacent property easement will be destroyed by use of heavy equipment; and 5) will not protect scenic resources.

Motion/second by Commissioners Modugno/Smith – That the item be continued to Wednesday, October 5, 2016, to allow the applicant to: revised Building “B” height from 35 feet to 30 feet to incorporate a redesign of a step back between building levels; 2) redesign on both sides from box wood appearances; 3) meet with the neighbors on a compromised design to preserve the views; and 4) if the courts determine the easement is private, staff should reference on the Parcel Map that the deck improvements need to be moved.

At the direction of the Chair, the item was continued to Wednesday, October 5, 2016.

Zoning Permits - West Section

Project Approved

9. **Project No. R2015-01333-(4). Applicant: Catalina Island Conservancy. Catalina Island Trail System. Santa Catalina Island Zoned District. a. Coastal Development Permit No. 201500061. To authorize the construction of trails from existing dirt roads and social/game trails, installation of wayfinding signage, installation of eight waterless vault restrooms at high use trailheads and campgrounds, and three construction staging areas in the Open Space/Conservation (OS/C) Zone of the Santa Catalina Island Specific Plan pursuant to County Code Section 22.46.120 and 22.46.130. b. Significant Ecological Area - Conditional Use Permit No. 201500055. To authorize construction of trails, installation of waterless vault toilets, and installation of wayfinding signage on parcels with designated Significant Ecological Area in the OS/C Zone pursuant to County Code Section 22.56.215. c. Environmental Assessment No. 201500094. To consider a Mitigated Negative Declaration with potential impacts to biological resources, cultural resources, hydrology/water quality, geology/soils, and hazards reduced to less than significant impact with the implementation of mitigation measures pursuant to CEQA reporting requirements.**

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PUBLIC HEARINGS (Cont.)

Zoning Permits - West Section

Ms. Arakelian presented the staff report followed by testimony from the applicant's representative John Mack, of the Catalina Island Conservancy who presented testimony in favor of the project. There being no members of the public in opposition, no rebuttal was required.

Motion/second by Commissioners Pedersen/Louie – That the Regional Planning Commission close the public hearing and adopt the Mitigated Negative Declaration along with the required Findings of Fact and adopt the Mitigation Monitoring and Reporting Program for the project pursuant to state and local CEQA guidelines.

Motion/second by Commissioners Pedersen/Louie – That the Regional Planning Commission approve Coastal Development Permit No. 201500061 and Significant Ecological Area Conditional Use Permit No. 201500055 with findings and conditions of approval.

At the direction of the Chair, the item passed unanimously. The appeal period for this item ends on Wednesday, September 14, 2016.

PUBLIC COMMENT

10. Public comment pursuant to Section 54954.3 of the Government Code.

Lynne Plambeck of Santa Clarita Organization for Planning and the Environment (SCOPE) expressed her concerns regarding Chiquita Canyon Landfill in which the Director of Planning, Mr. Richard Bruckner granted the landfill a waiver to continue adding another 6 million tons of waste, an increase of 25%. The maximum total capacity of the landfill shall be 23 million tons. Landfill closure shall occur when this capacity is reached or by November 24, 2019, whichever occurs first.

Ms. Plambeck stated that the public was not notified nor any environmental documents circulated and no noticing of any public hearing on this matter was given. She stated that the actions taken puts the entire procedure of conditions of approval undocumented which communities and the public depend on when participating in the County planning process. Ms. Plambeck stated that this undermines the safeguards ensured by the public review and the CEQA process.

She requested that the Commission investigate this matter and hold a public hearing and direct the landfill operator to provide a closure plan for this facility.

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PUBLIC COMMENT (Cont.)

Commissioner Modugno stated that the Board of Supervisors appoints the Director of Planning and that the matter should be taken up with the Board.

Joe Nicchitta, County Counsel informed the Commission that the Director of Planning has the sole discretion to approve the waiver. Pursuant to County Code Section which provides him the exclusive direction to make that action, an addendum was prepared which doesn't require a public hearing. Also, that there is no ability to call that addendum up for a public hearing under CEQA, we are precluded from doing that which also does not allow the Regional Planning Commission to Call for Review.

CONTINUATION OF REPORTS

11. Possible Call for Review of Decisions by Hearing Officer, pursuant to Section 22.60.200 of the Los Angeles County Code.

There were no items Called up for Review by the Commission.

12. Commission/Counsel/Director Reports

There were no reports given by Commission/Counsel/Director.

ADJOURNMENT

A recording of the testimony received and the discussions held at this meeting and a copy of all findings and resolutions acted upon by the Commission are on file in the Department of Regional Planning.

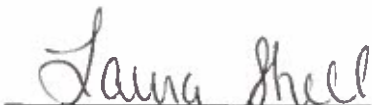
The Commission adjourned at 11:52 a.m. to Wednesday, September 7, 2016.



Rosie O. Ruiz, Commission Secretary

ATTEST

APPROVE



Laura Shell, Chair



Mitch Glaser, Assistant Administrator
Current Planning Division